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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,265	01/19/2000	Toshiki Mori	826.1587/JDH	2955

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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/487,265

Applicant(s)

MORI ET AL.

Examiner

Akiba K Robinson-Boyce

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. Due to communications filed 8/31/04, the following is a final office action. No claims are currently amended, although the applicant labels claim 11 as being amended, no current amendments have been added to this claim. Claims 1-28 are pending in this application and have been examined on the merits. The previous office action has been maintained.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 6, 15, 16, 17, 19, 21, and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver (US Patent 5,907,490).

As per claims 1, 6, 15, 16, 17, 21, 28, Oliver discloses:

[An acquisition unit/a first program part for] transmitting a job completion message and receiving a job completion reply from persons in a group who have been assigned part of a job and, obtaining information indicating whether each of a plurality of receivers of a message, who in a group do a job associated with the message, has completed an

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assigned part of the job, (Col. 6, lines 34-42, w/ Col. 7, lines 11-22, where the graphical user interface and touch screen represents the acquisition unit and helps complete EV analysis , Col. 3, lines 30-37, where EV analysis helps measure wheat has been accomplished on a project, Col. 7, lines 61-62, where the transmission of a job completion message is represented by presentation of initial EV information, which includes percent complete information as shown in Col. 8, lines 21-29, also Col. 8, line 67-Col. 9, line 4, where the job completing message transmitted is represented by the user clicking on the number on the screen in order to receive percent of project complete information, in addition, Col. 9, lines 4-9 shows the job completion reply since a response about the percent of a project completed is disclosed);

[A control unit/a second program part] based on the information obtained by the acquisition unit, causing a terminal apparatus to display information indicating a ratio of persons who have received the message and completed the assigned parts of the job to all the persons who have received the message and have been assigned the parts of the job/wherein the control unit causes the terminal apparatus at the transmitter of the message or the receiver of the message to mandatory display the information indicating the ratio of the persons who have completed the respectively assigned parts of the job among all the plurality of receivers of the message doing the job the is associated with the message, (Col. 7, lines 5-10 and lines 38-41, where the control unit and the second program part is represented by the EV analyzer program in the computer, Col. 8, lines 21-29, where Oliver discloses the "ratio" through disclosing EV-related information pertaining to the percent complete. In this case, the "ratio" in Oliver is disclosed to be

the percentage of the project completed based on earned value for the work performed to the total project baseline. In this case, even though the percentage of the project completed is determined through the earned value, the percentage of the project completed is still determined and represents the completed assigned parts of the job. In addition, the total project baseline represents the all assignments in the job. Therefore Oliver's "ratio" is analogous to the "ratio" of the claimed invention).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the ratio of persons who have completed the respectively assigned parts of the job amongst all the plurality of receivers of the message doing the job with the motivation of determining which jobs are complete and which jobs are incomplete for assignment purposes.

As per claims 3, 19, Oliver discloses:

Wherein the control unit causes the terminal apparatus to display a completion state table comprising information indicating the ratio of the persons who have completed the respectively assigned parts of the job among all the plurality of receivers of the message doing the job and the title of the message, (Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed , Fig. 1, where this bar chart includes EV information that represents what has been accomplished as the project progresses. This chart also includes completion information as described in Col. 4, lines 23-41. Since Oliver describes that a chart can visually represent the ratio information about completed tasks, it is obvious to

include the completion state ratio in a table since a chart represents information in tabular form).

As per claims 22, 23, Oliver discloses:

A message generation unit generating a message to which attached is a entry space for entering a completion date offer indicating a completion date each receiver desires to agree in place of the completion date stated in the message, (Col. 6, lines 34 46 and lines 57-62 w/ Col. 8, lines 21-29 where it is shown that the user can utilize the computer interface to input EV-related information which can include percent complete, in this case, the message generation unit is represented by the graphical user interface (GUI), also Col. 1, lines 20-25, where the completion date is also represented by the finish dates); and

A control unit causing a terminal apparatus to display in a table form the title of the message, names a plurality of the receivers, the completion dates entered into the entry spaces attached to the message by the plurality of the receivers respectively and a ratio indicating a number of receivers who have completed the parts of the job/wherein the control unit causes the terminal apparatus to display in a table form information including a ratio of persons who have completed the respectively assigned parts of the job among all the plurality of receivers of the message doing the job that is associated with the message,

(Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed , Fig. 1, where this bar chart includes EV information that represents what has been accomplished as the project progresses. This chart also includes completion information as described in Col. 4, lines 23-41. Since Oliver describes that a chart can visually represent the ratio information about completed tasks, it is obvious to include the completion state ratio in a table since a chart represents information in tabular form and where the control unit that causes the terminal to display is represented by the project management software which include the object link, Col. 9, lines 1-9, [ratio]).

As per claim 24, Oliver discloses:

Transmitting a message to individuals of a group concerning parts of a job assigned to the individuals, (Col. 7, lines 59-62 w/ Col. 4, lines 23-41, where the EV information, which includes the parts of a job that have been accomplished as the project progresses is presented);

Obtaining reply information concerning job part completion, (Col. 6, lines 37-41, represented by the completion of Task B, (col. 9, lines 4-6, [response])); and

Displaying a ratio indicating a number of individuals of the group who have completed the parts of the job, (Col. 8, lines 21-29, where the ratio is

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represented by the EV-related information pertaining to the percent complete being displayed).

As per claim 25, Oliver fails to disclose:

Wherein the ratio indicates a number of individuals who have opened the message, (Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed where the number of individuals who open the message are the same individuals who complete a percent of the task or parts of the job).

As per claim 26, Oliver discloses:

Wherein the ratio indicates a number of individuals who have completed a job part task, (Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed).

As per claim 27, Oliver discloses:

Wherein the ratio indicates a number of individuals for whom a job part task period has expired, (Col. 4, lines 40-41, represented by the task actually being completed).

As per claim 28, Oliver discloses:

Obtaining the information concerning job part completion from individuals of a group working on job parts , (Col. 6, lines 37-41, represented by the completion of Task B, (col. 9, lines 4-6, [response])); and

Determining a ratio indicating a number of individuals of the group who have completed the parts of the job, (Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being determined).

4. Claims 2, 4, 5, 7-12, 14, 20, 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver (US 5,907,490) in further view of Nakaoka (US Patent 6,092,048).

As per claims 2, 18, Oliver discloses the following:

Wherein the control unit causes the information indicating the ratio of the persons who have completed respectively assigned parts of the job to be displayed, (Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed);

Oliver fails to disclose the following, however Nakaoka discloses:

together with a title of the message in response to one of a display request of a user and on fulfilling predetermined conditions... (Col. 4, lines 19-35, represented by the task title where "CREATE REPORT OF INVESTIGATION" represents the request of a user).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate having a title of the message in response to the request of a user with the motivation of actually displaying and allowing the user to visually distinguish one request from another. As per claims 4, 20, Oliver discloses:

Counts the number of receivers who have activated the confirmation button for causing the terminal apparatus to display the information indicating the ratio of the persons having completed the assigned parts of the job, (Col. 8, lines 21-29, Oliver doesn't specifically disclose the number of receivers who activate a confirmation button is counted, however the ratio is represented by the EV-related information pertaining to the percent complete being displayed and in order to determine the percent complete, one must determine a count for the number of tasks completed);

Oliver fails to disclose the following, however Nakaoka discloses:

A message generation unit generating a message provided with a confirmation button by which each receiver of the message can individually inform that the receiver has completed the assigned part of the job to the transmitter of the message; (Col. 13, lines 19-23, represented by the completion button);

Wherein the control unit judges when the confirmation button is activated by a receiver of the message that the receiver has completed the

assigned part of the job (Col. 13, lines 23-25, represented by placing the task entry in a completed state).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate a confirmation button with the motivation of having means to determine the number of users that completed the task.

As per claim 5, Oliver discloses:

The message comprises task completion date/the message generation unit generates a message to which attached is an entry space for entering a completion date offer indicating a completion date each receiver desires to agree to in place of the completion date in the message, (Col. 1, lines 20-25, represented by the finish dates);

the control unit causes/a control unit causing a terminal device of the transmitter apparatus at the transmitter of the message to display the completion date offer that is entered in the entry space/a control unit causing a terminal apparatus to display in a table form the title of the message, names a plurality of the receivers and the completion dates entered into the entry spaces attached to the message by the plurality of the receivers respectively and a ratio indicating a number of receivers who have completed the parts of the job, (Col. 1, lines 25-32, represented by the PERT chart, Col. 9, lines 1-9, [ratio]).

As per claim 7, Oliver discloses:

Wherein the control unit causes the terminal apparatus to display the information indicating the ratio of the persons who have completed the assigned parts of the job when one of a specified date for completing is a current and when the ratio of the persons who have completed the assigned parts of job reaches a preassigned value (Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed and in order to determine the percent complete, one must determine a count for the number of tasks completed); As per claim 8, Oliver discloses:

Wherein the control unit causes the terminal apparatus to display the information indicating the ratio of persons who have completed the assigned parts of the job on a day specified by a transmitter of the message in advance (Col. 8, lines 21-29, the ratio is represented by the EV-related information pertaining to the percent complete being displayed and in order to determine the percent complete, one must determine a count for the number of tasks completed).

As per claim 9, Oliver discloses:

An acquisition unit obtaining information indicating whether each of a plurality of receivers of a message, who in a group do a job associated with the message, has completed an assigned part of the job, (Col. 6, lines 34-42, w/ Col. 7, lines 11-22,

where the graphical user interface and touch screen represents the acquisition unit and helps complete EV analysis, Col. 3, lines 30-37, where EV analysis helps measure wheat has been accomplished on a project);

A storage unit storing information identifying a message, (Col. 6, lines 59-62);

Oliver fails to teach the following, however Nakaoka discloses:

A control unit causes a terminal apparatus display information indicating a ratio of persons who have completed respectively assigned parts of a job associated with the message among a plurality of receivers of the message, (Col. 7, lines 5-10 and lines 38 41, where the control unit and the second program part is represented by the EV analyzer program in the computer, Col. 8, lines 21-29, where the ratio is represented by the EV-related information pertaining to the percent complete being displayed).

Oliver fails to disclose the following, however Nakaoka discloses:

and information indicating a name of a transmitter of the message, a name of a receiver who has completed the assigned part of the job in a mutually associated manner; (Col. 3, lines 25-26, represented by the creation of a task entry by a user, Col. 3, lines 1- 13, where the receiver is represented by the information on the worker and if the task given to the worker has been created//completed)
It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for information indicating a name of a transmitter of the message, and a name of the receiver who has completed the assigned part of

the job with the motivation of correctly identifying users in the message processing network so messages can be properly routed.

The following is not disclosed by Oliver nor Nakaoka however is obvious with the invention of Nakaoka since the environment of this system is a network type flow. In this type of environment, the transmitter will always be known as the network:

A name of a transmitter

As per claim 10, Oliver fails to teach the following, however Nakaoka discloses: Wherein said control unit causes the terminal apparatus to display an event announcement table containing information relating to a plurality of events, (Fig. 7, Col. 10, lines 33-43, represented by the event condition table).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to display an event announcement table with the motivation of displaying necessary information for the correct evaluation of event status.

As per claim 11, Oliver fails to disclose the following, however Nakaoka discloses:

Wherein said control unit to generate an event announcement table according to schedules associated with a plurality of received messages, and announces contents of a receiver by instructing a terminal apparatus of the receiver to display the event announcement table, (Fig. 20, Col. 16, lines 48-58, represented by the event rule list display).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to generate and display an event announcement table with the motivation of table with the motivation of displaying necessary information for the correct evaluation of event status.

As per claim 12, Oliver discloses:

Wherein said control unit stores event information, for each of a plurality of events that take place in a manner distributed in a multiplayer timeline chart, describing about details of each event, time-schedule of each event and participating persons in each event in a mutually associated manner, and generates a plurality of events based on the event information, for displaying the event announcement table when a message is generated, associating contents of a plurality of events in a time-series multiple level structure, (Fig. 1).

As per claim 14, Nakaoka discloses:

A message generation unit capable of generating a message to which attached is a condition for deleting the message, so that the message which the condition for deleting the message is attached can be deleted automatically based on one of a certain period after the message being generated and in accordance to the attached condition by an independent act of a transmitter or a receiver of the message, (Col. 13, lines 9-17, represented by the user being able to change the value of the task title column where the value is what is used to transmit the message and represents the condition).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the message to be generated in accordance to a condition with the motivation of correctly transmitting proper messages to the correct users.

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oliver (US Patent 5,907,490), and further in view of Beck et al (US Patent 6,370,508).

As per claim 13, Oliver fails to disclose the following, however Beck et al discloses:

Further comprising a message generation unit attaching an indicator to a confidential message indicating a need for limiting transfer of the confidential message, wherein said control unit limits transfer of the confidential message to which the indicator is attached, (Col. 27, lines 52-65, where the indicator is represented by the identifier).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate a confidential message identified by an indicator with the motivation of securing the confidentiality of the message and not allowing this type of message to be displayed to the wrong people.

Response to Arguments

6. Applicant's arguments filed 8/31/04 have been fully considered but they are not persuasive.

The applicant makes the argument that the Oliver reference does not teach or suggest using a ratio of persons and, according to applicant, the present invention is patentably distinguishable over the prior art. Upon discussing these issues in a personal interview with the applicant, the examiner stated that it "appeared" to be some distinction between the present invention and the Oliver patent, however, the examiner would have to re-evaluate the Oliver patent to determine if the present invention is patentable over the Oliver patent. Upon re-evaluating the Oliver patent, the examiner has come to the determination that percent complete ratio in Oliver represents the ratio of persons who have completed the assigned parts of the job in the present invention. In Oliver, percent complete indicates what percentage of the project is complete based on the ratio of earned value (also known as BCWP-Budget Cost of Work Performed) to the total project baseline. However, Oliver shows an example where each task will be worked on by a single person and that the person will devote thirty hours per week to the project in Col. 4, lines 33-45. The example then goes on to show how the tasks are represented sequentially and reflected by graph. A determination is made that Task A will take 45 effort hours and consume 1.5 weeks, Task B will take 30 effort hours and consume one week, and Task C will start at the completion of Task B, take 60 effort hours, and be completed at the end of week three. This scheduling is shown by a Gantt chart and is done in the planning process, and as scheduled, constitutes the baseline for the project. Oliver explains that the baseline represents cost and effort

expenditures with respect to time and activities in Col. 1, lines 42-44. Since the baseline is derived from the time it takes a person to complete several tasks, and since the baseline also represents both cost and effort expenditures with respect to time and activities, one of ordinary skill in the art would determine that the percent complete ratio in Oliver is directly related to the time it takes a person to complete tasks according to the baseline, which includes both cost and effort expenditures. Therefore, even though the percentage of the project completed is determined through the earned value, this earned value is derived from the time it takes a person to complete several tasks according to a baseline. Therefore Oliver's "ratio" is analogous to the "ratio" of the claimed invention.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 703-305-1340. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.
October 27, 2004



TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600